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7

8 UNITED STATES DISTRICT COURT
9 SOUTHERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,

11 Petitioner,

12 v.

13 SEBASTIAN JUAREZ,

14 Respondent.

Case No. 08cv 0502-IEG (CAB)

JOINT MOTION TO DISMISS AS MOOT
PETITION TO ENFORCE IRS SUMMONS

[Fed. R. Civ. P. 41(a)(1)]

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16 COME NOW THE PARTIES, Petitioner United States of America by and through counsel,
17 Karen P. Hewitt, United States Attorney, and Raven M. Norris, Assistant United States Attorney, and
18 Respondent Sebastian Juarez, by and through counsel, Chris Rusch, and hereby jointly move this Court
19 to dismiss this action without prejudice. The parties have resolved the matters alleged in the Petition
20 to Enforce Internal Revenue Summons ("IRS") filed by the United States on March 18, 2008 and as
21 required by this Court's Order Granting Petition to Enforce on May 28, 2008. Respondent has complied
22 with the issued IRS Summons and this Court's Order. Accordingly, the parties agreed that the above-
23 captioned case should be dismissed in its entirety without prejudice. It was further agreed that each
24 party will bear its own attorneys' fees and costs of the suit.

25 Based upon the foregoing, it is respectfully requested that the Court enter an order dismissing
26 the action without prejudice.

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1 Dated: August 11, 2008

Respectfully submitted,

2 KAREN P. HEWITT
3 United States Attorney

4 s/ Raven M. Norris
5 RAVEN M. NORRIS
6 Assistant U.S. Attorney
Attorneys for Petitioner
Email: Raven.Norris@usdoj.gov

7 Dated: August 11, 2008

8 
9 CHRIS RUSCH
Attorney for Respondent

10 Pursuant to Section 2(f)(4) of the Electronic Case Filing Administrative Policies and Procedures
11 of the United States District Court for the Southern District of California, I certify that the content of
12 this document is acceptable to counsel for the Respondent and that opposing counsel has signed the
13 original of this document, and that I have a faxed copy of said signed original document on file.

14 DATED: August 11, 2008

KAREN P. HEWITT
United States Attorney

15 s/ Raven M. Norris
16 Assistant U. S. Attorney
17 Attorney for Petitioner
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Petitioner,

v.

SEBASTIAN JUAREZ,

Respondent.

Case No. 08CV0502 IEG(CAB)

CERTIFICATE OF SERVICE

IT IS HEREBY CERTIFIED THAT:

I, Raven M. Norris, am a citizen of the United States and am at least eighteen years of age. My business address is 880 Front Street, Room 6293, San Diego, California 92101-8893.

I am not a party to the above-entitled action. I have caused service of the Joint Motion to Extend on the following parties by electronically filing the foregoing with the Clerk of the District Court using its ECF System, which electronically notifies them.

none

I hereby certify that I have caused the foregoing to be mailed, by the United States Postal Service, to the following non-ECF participants on this case:

Chris Rusch
Attorney at Law
406 Ninth Avenue, Suite 304
San Diego, CA 92101

the last known address, at which place there is delivery service of mail from the United States Postal Service.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on August 11, 2008

s/ Raven M. Norris
RAVEN M. NORRIS